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Attorney Docket No. 3873 P 041

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re U.S. Patent Application of:	)	
PAUL KUDRNA, CRAIG RAPPIN, BRIAN	)	
SCHWARTZ, MARK SCHWARTZ	)	
	)	Examiner: Unassigned
Application No. 10/728,741	)	
	)	Art Unit: 3763
Filed: December 5, 2003	)	
	)	
For: LANCET DEVICE AND METHOD	)	

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants submit herewith Form PTO-1449, "Information Disclosure Citation."  
Pursuant to the Notice from the U.S. Patent and Trademark Office ("PTO") dated July 11, 2003, the PTO has waived the requirement under 37 C.F.R. 1.98(a)(2)(i) requiring submission of a copy of each cited U.S. patent and each cited U.S. patent application for applications filed after June 30, 2003 and for all international applications entering the national stage under 35 U.S.C. Sec. 371 after June 30, 2003. Therefore, we are not enclosing copies of the listed U.S. patents and U.S. patent applications.

Since this Statement is being filed within three (3) months of the filing date of this National Application, or before the mailing date of an office action on the merits, no fee is necessary.

Applicants are submitting this art because they recognize their duty to disclose pursuant to 37 C.F.R. §1.56. However, submission of this art and Statement is not an admission any item identified contains matter anticipating the invention or rendering the invention obvious to a person of ordinary skill in the art. Further, Applicants believe none of the art submitted herewith, alone or in proper combination, discloses, teaches or suggests the invention claimed

by Applicants.

The citation of a reference is also without admission the reference is sufficient to teach one of ordinary skill in the art how to make or use the subject matter thereof or the reference is, or is considered to be, material to the patentability as defined in 37 C.F.R. §1.56(b).

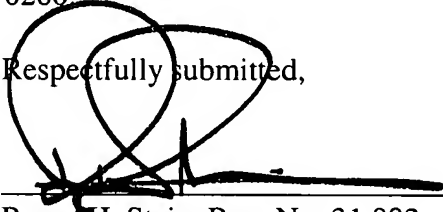
Moreover, submission of these patents is without admission any of the patents constitutes statutory prior art or has an effective date prior to Applicants' effective date of invention.

Applicants specifically reserve all rights of privilege and confidence with respect to this matter. A submission of this document is not to be construed as a waiver of those rights. In addition, the filing of this Statement is not to be construed as a representation a search had been made by Applicants or counsel.

Please charge any additional fees associated with this Communication or credit any overpayment to our Deposit Account No. 23-0280

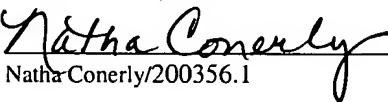
Respectfully submitted,

Date 11 MAY 2004

  
Roger H. Stein, Reg. No. 31,882  
WALLLENSTEIN WAGNER & ROCKEY, LTD.  
311 South Wacker Drive, 53rd Floor  
Chicago, Illinois 60606-6630  
312.554.3300  
Attorneys for Applicants

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on May 12, 2004.

  
Natha Conerly/200356.1



**INFORMATION  
DISCLOSURE  
STATEMENT BY APPLICANT  
PTO-1449**

WW&R File No.: 3873 P 041  
Application No.: 10/728,741  
Applicants: Paul Kudrna, Craig Rappin, Brian Schwartz,  
Mark Schwart  
Filing Date: December 5, 2003  
Art Unit: 3763

**U.S. PATENT DOCUMENTS**

Examiner Initial	U.S. Patent Document No.	Name of Patentee or Applicant	Date of Publication
	4,924,879	O'Brien	05/15/1990
	6,306,152	Verdonk et al.	10/23/2001
	6,364,889	Kheiri et al.	04/02/2002

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	T
	Office	Number	Kind			

**OTHER PRIOR ART OR NON-PATENT LITERATURE DOCUMENTS**

Examiner Initial	(including Author (in capital letters), Title of the article, Title of the item, Date, Pages, Volume-Issue number, Publisher, City and/or Country where published.)	T

Examiner: \_\_\_\_\_ Date \_\_\_\_\_  
Considered: \_\_\_\_\_

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.